

Remarks

In the official action the Examiner rejects a number of the claims in this application as being unpatentable over Brock in view of Gnauck et al. This grounds for rejection is respectfully traversed.

Turning to claim 1, in the Examiner's analysis found in the paragraph bridging pages 2 and 3 of the official action, the Examiner asserts that element 16 in Brock is a single frequency laser having a laser output for delivering laser light at a frequency w_0 .

This assertion caused the undersigned to place a telephone call to the USPTO and an interview with the Examiner was ultimately held on January 25, 2005. During the course of the interview, the undersigned noted that element 16 of Brock noted by the Examiner is not a laser, but rather an optical diode. An optical diode is not the same thing as a laser diode. An optical diode ensures that light travels in a single direction around the ring formed by the optical path 18 of Brock. The optical diode 16 "ensures that there is no coupling of carrier energy in the reverse direction from the modulator 10 to the amplifying medium 12." See column 4, lines 20-22 of Brock. An optical diode is a unidirectional device analogous to an electrical diode. An electrical diode ensures that current flows only in one direction through the electrical diode and an optical diode ensures that light flows in only one direction through it. A more common name that might have been given the Brock's component 16 is an optical isolator. Another device that can perform a similar function is the optical circulator 34 shown in Figure 3 of Brock.

But, an isolating device, be it an optical diode, an optical isolator, or an optical circulator, is not, by itself, a laser.

Since element 16 in Brock is not a laser, then the rest of the Examiner's analysis falls apart with respect to what is coupled to what or how one skilled in the art would allegedly modify Brock based upon the teaching of Gnauck et al.

In the aforementioned telephone call, the Examiner agreed with this analysis and agreed to withdraw the rejection.

Reconsideration of the application as amended is respectfully requested. The Examiner is again requested to issue a final rejection if the Examiner is not prepared to allow this application at this stage of the proceedings given the large number of non-final official actions that have previously issued so that the Applicant has the right of pursuing this matter at the Board of Appeals.


The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited
with the United States Post Office with sufficient postage as
first class mail in an envelope addressed to Commissioner for
Patents, PO Box 1450, Alexandria, VA 22313-1450 on
February 21, 2005

(Date of Deposit)

Corinda Humphrey

(Name of Person Signing)



(Signature)

February 21, 2005

(Date)

Respectfully submitted,



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